

REMARKS

In the Office Action of January 21, 2009, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter with respect to the terms “state-signal” and “state-signal receiver” of claim 8. In addition, claims 1-8 and 10-19 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 7,126,585 (“Davis et al.”) in view of U.S. Patent Pub. No. 2004/0080496 A1 (“Cheon et al.”). Furthermore, claim 9 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Davis et al. in view of Cheon et al. and further in view of U.S. Patent No. 6,822,636 (“Wu”).

On March 19, 2009, a telephone interview between the undersigned attorney and Examiners Pegeman Karimi and Jeff Piziali was conducted. In the telephone interview, the independent claims 1, 3 and 17-19 were discussed with respect to the cited references of Davis et al. and Cheon et al. Possible claim amendments to overcome the current rejections were discussed. On March 23, 2009, proposed amendments of the independent claims 1, 3 and 17-19 were discussed. No agreement was reached.

In response, Applicant has amended the specification to overcome the objection to the specification. In particular, the paragraph beginning at page 2, line 20, of the specification has been amended to include the phrase “a wireless state signal 132 identifying a state of the mouse 10.” Support for this amendment can be found at least in the original claims 6-8, 13 and 14. Thus, Applicant respectfully requests that the objection to the specification be withdrawn.

Applicant has also amended the independent claims 1, 3 and 17-19 to more clearly distinguish the claimed invention from the cited references of Davis et al. and Cheon et al. As amended, Applicant respectfully asserts that the independent claims 1, 3 and 17-19 are not obvious over Davis et al. in view of Cheon et al., as explained below. In view of the claim amendments and the following remarks, Applicant respectfully requests that the pending claims 1-19 be allowed.

A. Patentability of Independent Claims 1, 3 and 17-19

As amended, the independent claim 1 recites *“the processor being further operable to set the computer mouse to the operational characteristic setting specified in the optical signal received by the optical imaging sensor array to program the operational characteristic setting of the computer mouse using the received optical signal during programming of characteristic settings of the computer mouse,”* which is not disclosed in the cited references of Davis et al. and Cheon et al. Thus, the amended independent claim 1 is not obvious over Davis et al. in view of Cheon et al. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

The cited reference of Davis et al. discloses a single chip optical mouse having an internal mouse assembly 30 that includes a photo detector array 84 and an LED 34. However, the chip 16 of the mouse 10 does not use an optical signal received by the photo detector array 84 to program the operational characteristic setting of the mouse. The cited reference of Cheon et al. discloses using external light 19 as illumination for an optical mouse 100. However, the external light 19 is not used to program the operational characteristic setting of the mouse 100. Consequently, even if the teachings of Davis et al. and Cheon et al. are combined, the limitation of *“the processor being further operable to set the computer mouse to the operational characteristic setting specified in the optical signal received by the optical imaging sensor array to program the operational characteristic setting of the computer mouse using the received optical signal during programming of characteristic settings of the computer mouse,”* as recited in the amended independent claim 1, is not taught. Thus, the amended independent claim 1 is not obvious over Davis et al. in view of Cheon et al. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

The above remarks are also applicable to the amended independent claims 3 and 17-19, which recite limitations similar to those of the amended independent claim 1. Thus, the amended independent claims 3 and 17-19 are also not obvious over Davis et al. in view of Cheon et al. As such, Applicant respectfully requests that the amended independent claims 3 and 17-19 be allowed as well.

B. Patentability of Dependent Claims 2 and 4-16

Each of the dependent claims 2 and 4-16 depends on one of the amended
independent claims 1 and 3. As such, these dependent claims include all the limitations
of their respective base claims. Therefore, Applicant submits that these dependent
claims are allowable for the same reasons as their respective base claims. Furthermore,
these dependent claims may be allowable for additional reasons.

Applicant respectfully requests reconsideration of the claims in view of the
remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,
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